

### REMARKS

Claims 1-9 are presented for consideration, with Claim 1 being independent.

The title has been changed to better reflect the claimed invention. In addition, a new abstract is being submitted to better set forth the technical features of Applicants' invention.

In the claims, independent claim 1 has been amended to further distinguish Applicants' invention from the cited art. In addition, editorial changes have been made to selected claims, and new claims 7-9 have been added to provide an additional scope of protection.

In paragraph two (page 2) of the Office Action, it is noted that certified copies of Applicants' foreign priority documents were not received. It is respectfully submitted, however, that such priority documents were attached to the Submission of Priority Documents filed July 7, 2004, as evidenced by an attached copy of a postcard receipt date-stamped by the U.S. Patent and Trademark Office on July 7, 2004, and acknowledging receipt of three priority applications. Accordingly, acknowledgment of Applicants' perfected claim to priority is respectfully requested.

Applicants are submitting herewith a Submission of Replacement Sheets of Drawings, with FIGS. 1-3 labeled as "PRIOR ART." Approval of the corrected drawings is respectfully requested.

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Worn '102. In addition, claim 5 is rejected under 35 U.S.C. § 103(a) as being obvious over Worn in view of Shimabukuro '079, and claim 6 is rejected under 35 U.S.C. § 103(a) as being obvious over those citations and further in view of Morgenthaler '609. These rejections are respectfully traversed.

Claim 1 of Applicants' invention relates to a display apparatus comprised of an image display section, a housing for supporting the image display section, and first and second switch groups arranged in the housing. As amended, each switch group has a plurality of switches having different functions from one another, with the first and second switch groups being arranged on a left side and a right side with respect to the image display section, respectively. As claimed, the plurality of switches in the first switch group have the same functions as the plurality of switches in the second switch group.

Support for the claim amendments can be found, for example, in FIG. 5 and the corresponding specification beginning on page 8, line 15.

The primary citation to Worn relates to a programming device that includes a housing 2 having a display 3. A plurality of switches and/or function keys 4 are located on either side and above the display.

In contrast to Applicants' claimed invention, however, Worn does not teach or suggest, among other features, first and second switch groups including a plurality of switches having different functions from one another, with the plurality of switches in the first group having the same functions as the plurality of switches in the second switch group. Worn discloses that the function keys 4 "may also be present in multiple numbers" so that the operator can trigger the same functions in a plurality of areas (column 4, lines 52-54), but such an arrangement does not teach or suggest the first and second switch groups as set forth in Applicants' claimed invention. Accordingly, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. § 102 is respectfully requested.

The secondary citation to Shimabukuro relates to a cell phone and is relied upon for its teaching of an object sensor. Shimabukuro, however, fails to compensate for the deficiencies in Worn as discussed above.

The tertiary citation to Morgenthaler relates to a user interface and is relied upon for its teaching of bringing lights of switches into a turn on state. Likewise, however, Morgenthaler fails to compensate for the deficiencies in Worn as discussed above.

Therefore, it is respectfully submitted that Worn, whether taken individually or in combination with either Shimabukuro and/or Morgenthaler, fails to teach or suggest Applicants' invention as set forth in claims 5 or 6. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103 are respectfully requested.

Accordingly, it is submitted that Applicants' invention as set forth in claim 1 is patentable over the cited art. In addition, dependent claims 2-9 set forth additional of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

---

Scott D. Malpede  
Attorney for Applicants  
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

SDM/vmm

DC\_MAIN 278361v1

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date 7 / 7 / 04  
Mo. Day Yr.  
Atty. Docket 13500-DIPO77  
Application No. 10/822,665

Sir:

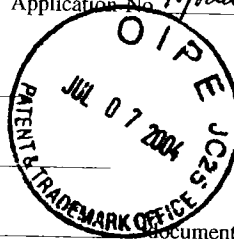
Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action. \_\_\_\_\_
- ☐ Check for \$ \_\_\_\_\_ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☐ Information Disclosure Statement PTO-1449 and \_\_\_\_\_ documents
- ☒ *Submission of Priority Documents*  
☐ Claim for priority and certified copies of \_\_\_\_\_ 3 priority applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_
- ☐ Other (specify) \_\_\_\_\_

by placing your receiving date stamp hereon and returning to deliverer.

Atty. DM/rm

Due Date N D, D  
Mo. Day Yr.



FCIS-D-00